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the accepted moral rules and sentiments of any such social class are seen to tend to the benefit of the part at the expense of the whole, they stand condemned. It does not follow that the rules should be at once set aside—as this might cause a greater evil in the way of disappointment and disturbance—but we must recognize the need of change and begin the process. Similarly, if we find that elements of human good, such as knowledge and art, important in the life of the whole, are not sufficiently recognized in our current moral ideal, the same principle will require us to enlarge and extend this ideal to admit them.

And if it be said that after all is done, the moral ideal of our age, however purged of inconsistencies and inspired and expanded by a steady self-devotion to the most comprehensive notion of good that we can form, is still imperfect and mutable, and that it must be expected to undergo, in the future, transformations now unforeseen, it yet need not painfully disturb us that the best of our possessions should be thus subject to the inexorable conditions of mundane existence. It need not hinder us from cherishing and holding to the best we have, so long as it remains the best. Life is essentially change, and the good life must be essentially life; it is enough if it contain unchanged amid the change that aspiration after the best life, which is itself a chief source and spring of change.

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WHAT JUSTIFIES PRIVATE PROPERTY?*

WHAT is it that authorizes a person to say of anything with a clear conscience, "This is mine"? The thought is sure at times to press in on the consciousness, "What gives me the right to what I possess?" It is not an issue that pertains exclusively to one element of human society. Strictly speaking we cannot divide the world into a "possessing and a non-

* An address read before the Ethical Society of St. Louis, April, 1893.

possessing class." We all own something, although it may be only a very small amount and not be for very long. Whether it be a laborer who is paid his wages on Saturday night, or the stockholder who receives his dividends at regular periods in the year, they each for the time-being will say of the money or coupons in their hands, "This is mine."

But if they think at all they must have some conviction in mind, which satisfies them of the justice of their claim. The individual who draws a salary, whether as an office clerk or as a bank president, whether as a clergyman or as the head of some vast corporation, will now and then raise the question, "Where does this salary come from? Why is it mine? To what extent is it right for me to dispose of it as I please?" It is for each and all of us, irrespective of our condition in life, to answer the query as to what justifies us in speaking of anything as "my property." At this point economics forms a part of the science of ethics, and ethics of the science of economics.

The issue is before the world. But the solution is not at hand. Men are writing about it. But there is no clear unanimity of opinion with reference to the subject. It would be idle for any one individual to attempt to settle the question on his own judgment. Society comes to an agreement on vital problems of that kind, only by a long, slow process of mental disturbance and agitation. One fact, however, is very plain: people are *thinking* about it as they have never done before.

Human nature is becoming more refined. It is not only more sensitive to pain and pleasure; it not only responds more quickly to beauty of form and color, and music; but it has a more delicate conscience. Its peace of mind is more easily disturbed. Men are troubled in thought over this question of property. They believe they are right in possessing it, and yet they are uncomfortable about it. It may be said to people of wealth, "You are not justified in owning so much. You ought to give it up in part or altogether." On the other hand, the wage-earners who may be almost at starvation conditions in some of the cities of Europe, might say to the more prosperous wage-earners in America, "You ought to

divide with us. Is it right that you should receive more than we do? Surely we labor as hard as yourselves." The more prosperous workingman and the still more fortunate men with private incomes, do not feel that they are altogether in the wrong in refusing to "divide." And yet it kindles a sense of discomfort in their minds.

We can appreciate how important the subject has become at the present day, by observing what a variety of scruples prevail on the one issue as to *what kind of property a man would be unwilling to possess or would hesitate to claim as his own*. Undoubtedly there may be individuals—as in the case of the proprietors of the gambling hells at Monte Carlo, or in the exceptional examples of depravity in our commercial world—who would be wholly destitute of any feeling in the matter. If such instances do exist, they are not to be classed as a part of human society. Their natural place would be in the jungle with the tigers. Most men, however, would draw the line somewhere. Their peace of mind would be disturbed if they knew that their property was of a certain kind, however secure they might feel themselves in keeping it. But when they come to specify *what* kind, they are often wide asunder. They may not agree at all in their particular scruples.

We know of men, like Ruskin, who would refuse to take interest on money. They may believe in private property; but if it were that one special form they would not say, "This is mine." Then, on the other hand, there are conscientious persons who would be quite ready to receive money or wealth in the form of interest, but who would not think themselves justified in owning land. They look upon that form of ownership as a crime against society. There is also a class who would not like to hold wealth acquired through speculation, although they would be only too ready to possess it if it came as the legitimate profits of a manufacturing business. Still others would be quite content to own property gained through speculation in stocks and bonds, but who would be troubled in mind if it came through speculation in the necessities of life. Some persons, too, would be disturbed to receive their

wealth as the direct owners or managers of certain forms of business; but they would have no anxiety in drawing wages or salary from such firms, or at knowing that their income may exist as the interest on the bonds of such companies. Many a person may hold his property with equanimity, although it has indirectly come through a community whose prosperity depends very largely on forms of trade of which he would emphatically disapprove. There is also a great variety of scruples with reference to wealth received by inheritance. Men may be conscious that a part of the property which has come to them in that form, was acquired through methods which they would not be willing to use themselves. But they are ready to say, with composure, "This is mine," of wealth gained through questionable methods by those who have gone before them,—while they would not be at peace with themselves, if they had acquired it by such means through their own efforts.

But the scruples do exist, and they are growing in force and influence,—although it is painful to reflect that in spite of ourselves each man's scruples are liable to pertain to just those forms of property which he does not happen to possess. This element of responsibility for the kind of property we may hold or receive, certainly opens up a sphere of ethics which as yet has only been imperfectly explored. There are persons with a most refined conscience, who do not seem to have thought of the matter at all. And yet the majority of persons will at times have a sense of compunction on that one issue as to what justifies them in their private possessions. They would like to be clear in their own minds on the subject. We cannot look at those less fortunate than ourselves without a sense of uneasiness. And for every living person there is always some other person lower in the scale than himself, to whom he can look as a being less well off than himself. From the top to the bottom of society this feeling of compunction may exist. It is not that we feel ourselves entirely in the wrong solely because we are more fortunate than others. But there is a lurking sense of wrong somewhere. There is a kind of uneasiness of the *race-conscience*

which we have to account for, in reference to this whole subject of property.

What a contrast there would be on this subject between our own age and the times before the birth of philosophy! I do not suppose that the prehistoric mind ever raised the question what justified it in saying "This is mine." If the brute could think, it would not use its thoughts in that way. The uncivilized races of men in close proximity with the brute creation, probably did not have twinges of conscience when they took what they wanted. It is not to be assumed that they had fine scruples as to the way they got their possessions. Beyond any doubt in the earliest stages of human development "Might made Right!" That is to say, in prehistoric times "Might" was the one basis of security in possessions, because there was practically no sense of Right. And now because that sense has been appearing in the human consciousness, another power assists in giving security to those things in reference to which we say, "These are mine." Might, at the present day, is not the only protective agency. If the Supreme Power were to take away at the present moment all the lurking sense of justice out of the human consciousness, leaving us in other respects with our present institutions complete, then within a generation or a century I venture to say we should be back in the condition of the savage races of Africa. It is not simply through law or custom, not chiefly through a respect for authority, not through dread of the police or the penitentiary, that society in our day is held together. It means that a positive change has taken place in the course of ages, that a new kind of force has been appearing; although this has by no means as yet altogether suspended the place of "might" or the authority of custom and law. But it does convey a different thought to us now, when we say "This is mine," or "That is thine," from what it did to prehistoric mankind.

Civilization begins when the epoch has been reached at which men, besides asserting "This is mine," come also to say, "That is thine." The tiger, if it could think and speak, as it clutches and holds its victim, might say and believe,

"This is mine;" but there would be no sense of the other idea, "That is thine," when it wanted the victim of another tiger. In the jungles there is an assertion of might, there is individuality; but there is no sense of justice.

What a change has come about in the very idea or *meaning* of private property since it first became established in history! The very conception of it is different from what it was a century or ten or twenty centuries ago. At one time the privilege of ownership implied the right to do with a thing exactly as a man pleased. He might consume it, waste it, preserve it, throw it away, destroy it, do anything whatsoever with it. That was law; that was right; that was justice. The conception appears to have applied to almost every kind of private property. A man could deal in that way with his cattle, his slaves, and his family. There was at first only one slight qualification. He could do all this, he had the right of use and abuse *within the limits of law*. But that one qualification, so trifling at first in the earlier stages of society, was destined practically to transform the very idea of property.

If we were to retain the old conception, the thing itself could scarcely be said to exist as an institution; there would be no private property. We would need to find a new term to describe the present situation. Restrictions came first with reference to the family. A man was the owner of his children, but he was not to be allowed to take their lives. And then as to his slaves; he might abuse or maltreat them, but their lives were to be sacred. That, however, was only the beginning of the limitations. They cover an ever wider and wider field. The absolute ownership of land is taken away. If the community or the state required it, they could appropriate it, although for a compensation. But complete right of "use and abuse" in the case of land no longer existed. It ceased by the establishment of the law of "eminent domain." Yet it might be assumed that other forms of personal property were exempt from these qualifications. A man can spend his wealth as he pleases, save it, waste it, destroy it, give it away. But when he comes to die, the restriction then occurs; absolute ownership ceases. Whether he desires to do so or not,

he must leave a part of his wealth to his family. Another portion is taken by certain States as an "inheritance tax." The limitations to the "right of bequest" removes another feature of absolute possession.

The restrictions on the privileges of ownership are introduced even in the most common daily affairs. We do not seem able to treat anything quite as "our own." We say that a man "possesses" a horse. It is "his property." He has bought it and paid for it. Can he deal with it as he pleases? What if he pleases to abuse the animal? A Humane Society, much to our satisfaction, interferes and brings him under the penalty of the law. And so it is that a man cannot claim absolute ownership over his children; he does not have full liberty with the very brutes which have been in his possession; he cannot give away his property at death according to his pleasure; he cannot retain the very ground or land he lives upon, if the public requires it; he may even be called upon to give up all he owns, if it is needed to save the existence of the state or the nation.

We recognize the contrast most fully by reflecting on the most significant of all the qualifications. When the law was put upon the statute books making attempt at suicide a crime, private property as the idea was understood in earlier times, was practically extinguished. If a man cannot do as he pleases with his own life, if the ownership of one's own person is subject to qualification, then surely the very conception of ownership is undergoing a transformation. We are either reverting to a still earlier notion, or else a new theory is gradually coming into supremacy. But it is plain that private property does not find its justification in the *idea* of property itself.

What a change, too, has taken place in the very *condition* of property as we trace it back to the first stages of human society! We say so positively at the present day of what we possess, "This is mine," that it is difficult for us to conceive how men could ever have taken any other attitude. It appears to be one of the fundamental instincts of the human race. And yet it seems now to be pretty generally accepted among economists, that a supposition of that kind would be altogether

contrary to the facts of history. Closer investigation has shown that private property has not always existed as an institution. It was the *tribe*, the *clan*, which first said, "This is mine."

It was not the individual but society, which first asserted the principle of ownership. We are forced to recognize that communal possession was the preliminary stage in the evolution of property. Private ownership came as a later step in the long series of changes, by which the human race has developed into its present condition. We only need to quote the words of Sir Henry Maine :

"We at length know something concerning the beginnings of the great institution of property in land. The collective ownership of the soil by groups of men either in fact united by blood-relationship, or believing or assuming that they are so united, is now entitled to take rank as an ascertained primitive phenomenon, once universally characterizing those communities of mankind between whose civilization and our own there is any distinct connection or analogy."

We must remember that in primitive times land was practically the only kind of permanent property. They knew nothing in those days of stocks and bonds, large corporations, or private business enterprises. The ownership of the soil included the ownership of all existing wealth. It was the community which said, "This is mine." Individual possession can scarcely be said to have existed at the earliest dawn of civilization. "Ancient law knows next to nothing of *individuals*," says Maine.

Private property cannot therefore claim for its justification that it has always existed as an institution. It is a long, long step from those prehistoric conditions of communal possession, to the day when we accept it as a first principle of our common law that "everything must have an owner." The steps have been traversed, nevertheless. Human nature may be the same in its fundamental characteristics. But it is now living under a new and widely-different kind of civilization.

It is most impressive to observe how institutions will alter, and yet society be all unconscious of the process while it is going on. Men do not think much about it. Generations come and go. Conditions on the outside appear to continue

about the same. Here and there little changes occur. But they may not be reflected upon at the time. Men act according to the needs of the moment. A legislature may pass what seems a trifling law, to meet some special emergency. A ruling authority issues some unimportant enactment. Little notice may be taken of it. And yet that enactment or law may have established a new precedent or principle, which is ultimately to lead to the transformation of long-established institutions. We look back over the lapse of years and centuries, and discover at last what a tremendous change has occurred. It was all so slow or so silent as to attract almost no attention. But the difference in the end amounts to something like a revolution.

And so it has been with the institution of private property. By a long, slow process extending over hundreds and thousands of years, the whole conception of property has gone through a transformation. We no longer grant absolute right irrespective of conditions and circumstances. We would not allow a man even to spend his own money as he pleased, if it should involve inevitable moral deterioration. If, for example, the opium-habit were to rapidly increase, a law would perhaps be introduced making the use of opium a punishable offence, unless some other method could be found to check the evil.

This attitude of mind with reference to the privileges of ownership, is not that of any one body of men. We act on the new principle without thinking about it. It is the tacitly accepted stand-point of our customs, laws, and institutions. The revolution has been gradually taking place by a process of evolution. I am seeking to trace the tendencies of thought on this subject and not to offer a solution of my own.

When we raise the issue "What justifies private property?" we must adopt all these conditions and qualifications, before we seek an answer to the problem. Private ownership does still exist, and is the recognized institution of the civilized world. But it is quite a different institution in many of its aspects from what it was, hundreds or thousands of years ago.

It might at first be supposed that we could justify private ownership, by observing how it came, as a principle, to exist

and be established. Many a person who was not acquainted with the facts of history, would probably take it for granted that a very large share of the property in the world had passed into private possession as the reward of personal labor. Wealth is mostly created by that means. Did it not come into the condition of individual ownership because society recognized the right of man to claim for himself the fruits of his own exertions? Unfortunately, investigation has proven precisely the contrary. As we trace the course of events back through the centuries, it becomes clear that private property had its origin in another way. It came through violence and aggression. Men took what they could get and kept it as long as they could. It was *appropriation by the strongest* which probably first established the principle of individual ownership. This appears to be accepted now as a fact of history by the best students who have explored the subject. We quote the words of so cautious and conservative a writer as John Stuart Mill :

“ Private property, as an institution, did not owe its origin to any of these considerations of utility which plead for the maintenance of it when established. Enough is known of rude ages, both from history and from analogous states of society in our own time, to show that tribunals (which always precede laws) were originally established, not to determine rights, but to repress violence and terminate quarrels. With this object chiefly in view, they naturally enough gave legal effect to first occupancy, by treating as the aggressor the person who first commenced violence by turning or by attempting to turn another out of possession.”

Is not that practically the stand-point of the tribunals of our own age as well? The law of the land does not settle or determine absolute right to titles of property. Its plea is not to the ultimate sense of ideal justice. The basis of its statutes and decisions is “ undisturbed possession for a certain period of years.” If a man has held or occupied the property for a given length of time, he is given the title. The law does not undertake to deal with the question how the ownership may have been acquired many hundreds of years ago. It sets a limit of time, beyond which it cannot interfere. And so its principle is that of “ occupation,” and not “ absolute justification.”

Is not a vast proportion of existing wealth involved in that kind of an origin? We are all more or less implicated. When, for example, the immigrant comes to America from the less prosperous conditions of Europe, relatively to him the residents of the new world hold the wealth and resources of their country through previous occupation or appropriation. He arrives empty-handed. He might say, "If I had been born in this land, or if my ancestors had been the ones to come over and seize it, I might now be the owner of some of the wealth which is all in your possession."

And so, too, the laborer at work at some declining trade for wages that will scarcely keep him alive, in the cities of Vienna or Madrid, could say to his fellow-laborers across the Atlantic, who were receiving two or three times as much per day in the United States, "It is not simply your greater skill which gives you so much larger remuneration. It is because the natural resources of your country furnish more wealth to be distributed. It is not merely your labor which makes you more prosperous than we are. It is also because you occupy a richer land and share in the appropriation of a more bountiful portion of nature." But, on the other hand, it can be asserted that, relatively to the less fortunate people of Asia, the European also holds the wealth of his country by the same accident of occupation or appropriation. The Americans are claiming their continent on a like principle, in refusing admission to the Chinese.

The origin of private property makes a sombre page in human history. We all, to a greater or less degree, are involved in the occurrences of the past. We can never assert positively of any portion of wealth, "Just this part came into private ownership solely as the honest fruits of labor, and that portion wholly through aggression and violence." We may reap the benefits of the sins of others and never be conscious of it. It is quite certain that the present condition of affairs does not rest on a basis of ideal justice. It is equally positive that we cannot justify the private ownership of wealth through the causes of its first establishment as an institution.

It is not strange, therefore, that one of the first answers to

the problem which have been given, should have been altogether negative. It has been asserted that private property is utterly without justification. Proudhon, in France, enunciated his famous doctrine in the terse cry, "What is property? Property is robbery!" It was to be expected that, in the process of change, some minds would leap to the opposite conclusion and assume that there could be no justification for any form of ownership. But as yet the world for the most still accepts the principle of private property. Even the ideal of socialism retains it in a modified way, as Schaeffle, of Vienna, has pointed out in his little treatise on that subject. The issue for us is to *make it square with our sense of justice*.

But there is another theory which still has a powerful hold upon many thoughtful people. It finds expression in a number of different ways. It goes with the reverence for fixed institutions. "Private property has existed so long that it *must* be right," men seem to think. They assume for that reason that it was established by divine intelligence. It has come by the law of nature, through the process of evolution. If accident or fortune had anything to do with it, then it was the same accident or fortune that rules the earth or the universe. They claim the right of ownership to other property on the same principle that they assert ownership to the muscles of their body, the capacities of their brain, the qualities of their soul. They believe it to be an institution of nature, and so an institution of God.

It is, however, in substance the same as the other standpoint,—the right of occupation. It is the basis of *law* with reference to property. But it is after all a most unsatisfactory position. Any institution could seek justification by that means, provided it had existed long enough. Human slavery undoubtedly survived much longer than otherwise would have been the case, because it supported itself by that plea. No criterion has ever been agreed upon which should determine just how long a custom must exist, in order to be regarded as an institution of nature. Many an evil has been able to perpetuate itself because it was mistakenly assumed to have been established by the will of Providence. It is always

a perilous step for any man to venture to interpret the plans of the Supreme Mind or the "intentions of nature." The Divine Will builds and unbuilds through human agency, especially in reference to human institutions.

There is one theory, however, which does seem to rest directly on human instinct for its support. It is that which asserts ownership to the *product of one's own labor*. "What I have made is mine," a man says to himself. He is not disposed to argue the question. His position looks impregnable. It appears to come as a first principle of his very being. He clings to the work of his hands almost as he clings to life itself. He cannot at first conceive that his stand-point requires justification. "What I produce is my property," answers human nature.

Philosophy itself has given the highest sanction to this theory. We need only to recall the words of Locke, the great English writer of the seventeenth century. In explicit language he says, speaking of the basis of private ownership,—

"The labor of his body and the work of his hands we may say are properly his. It is very easy to conceive without any difficulty how labor could at first begin a title of property in the common things of nature."

Others have made it the basis of their social ideals. It is felt that we identify ourselves with what we produce, so that it seems to become a part of ourselves. When we surrender it, it is almost as if we were surrendering a portion of our life-blood. Human instinct does appear to come to the support of the man who claims the right to keep for himself what is the direct outcome of his own labor. What we make or do is a part of the self which makes it. It comes of my being; it receives the stamp of my mind; it is the offspring of my energy; it is mine. Labor makes property. And so, it is argued, labor justifies private property.

Undoubtedly through all ages this will be a favorite plea. It was rooted in human nature before it appeared in ethics, economics, or social philosophy.

And the plea can be accepted, provided there goes with it the assertion of another instinct, which, however, introduces a

most important qualification. Along with the demand of the self which claims the right of ownership to the product of its own labor, stands another exaction of the conscience and of the consciousness; and that is, that we pay back to others the help they have given us in making it possible for us to do our work and secure ourselves in our possessions. If a man has loaned me a part of the fruits of his labor so that I can work to better advantage; or if indirectly through his aid I am able to accomplish more; does not the same instinct of justice within me require that I remunerate him in proportion to the help he has given me? In other words, private property is justified to such an extent that we are entitled to claim as absolutely our own, the product of our own labor, *after we have paid back what we owe to others.* But that one condition alters the whole stand-point. When can we ever say that we have fully settled that account? What we owe by written contract is but a very small portion of our indebtedness. Surely no honest man would repudiate his unwritten obligations merely because they could not be enforced by law. The same instinctive human nature which asserts its claim to the fruits of its own labor, holds up before us those unwritten claims, and says in peremptory tones, "Pay what thou owest."

Who can tell how much he would have left to call his own, after he had met those obligations? What man can assume positively of any object that it is altogether the result of his own work unaided by the labor of others? Would any of us assume, when thinking of the father and mother who have sacrificed so much for our own welfare, that we have paid off the debt we owe them? Have we returned to them the share which they contributed out of the products of their labor in order that we might become able to do our work in the world? As a man looks in the face of those parents, can he ever say with perfect assurance of any object, "This is absolutely mine, because I alone have made it, and I owe no man anything"? What person could feel satisfied that he had made full return to the community where he has lived and worked and made his way? Does he fancy that he has balanced the account by paying his share of the taxes? Was there nothing else in the

bond? Then why would it not have gone as well with him in some uncivilized community in the heart of Africa? Is he not indirectly reaping the benefit of the labor of thousands of others now living, as well as of the labors of still other thousands who have done their work there and passed away? Can we determine precisely when we are no longer in debt to the country or nation by whose existence *we* exist? These various forms of obligation are not mere sentiments which we can settle through feelings of gratitude. They represent just so many different forms in which we have shared the fruits of other people's labor and so been able to reap the fruits of our own labor. We are conscious that we could not settle the account if we should try. To the fathers and mothers, to the friends and kindred, to the community, the city, and the nation we must acknowledge a debt that we can never pay.

If we admit that we owe something to all those living and dead, the product of whose work has aided us in doing our work, what is there left as the fruit of our labor of which we can individually say, "I alone have made it, and hence it is mine"? Labor would give title to private property if only we could first pay off that infinite array of obligations which we owe to our fellow-men and to the race to which we belong. But under the existing circumstances it is not the most satisfactory kind of a title.

It brings us back to our first query. Men are conscious of all these difficulties. They recognize these many qualifications. They may not be able to reason the matter out clearly. The whole subject appears full of confusion. The more they think about it the less do they see their way to enlightenment. And yet in spite of their perplexity the great majority do not feel themselves entirely in the wrong in saying "This is mine" of what they regard as their private property.

But there is one aspect of this whole subject which we have not yet introduced. Another word is more and more coming to the lips of statesmen and economists. It is *expediency*. Idealism shrinks from any such consideration. We do not want that kind of a principle at the basis of our social structure. It reduces us to a level with the brute creation. And

yet we cannot overlook the plain facts. The human race must live. It will adopt those institutions which are most liable to preserve and perpetuate its existence, irrespective of all abstract ideals of justice. We cannot avoid that conclusion. It is according to the fundamental laws of history. The attempt to act contrary to it, would be like attempting to move the earth out of its orbit. Whoever attacks individual ownership of wealth, must show that there is a substitute for it which will serve equally well in securing the means of subsistence for the human race. Mankind could not live, unless there were a powerful incentive on the part of some individuals to the accumulation of property. Most men like to "live as they go."

Private property exists and survives as an institution first and supremely *because it makes provision for the necessities of existence for human society.* That is its economic basis. It has seemed to furnish the best incentive for a production of wealth, which should be adequate in amount to keep the race of man alive and permit of its growth and expansion. Whether this will always be the case is another question. Human nature may change. Institutions, however, which would be ideally the most perfect in coming centuries, might prove very unsatisfactory under present conditions. An agent stronger than even our idealism will still hold sway. And that is the struggle on the part of human society for its own life and preservation. That is the factor which in the long run must determine all economic institutions. On this issue we are at the mercy of grim necessity.

The ablest minds appear to be abandoning the search after a principle of absolute justification for private property. We might quote from leading authorities in England, Germany, and America. They admit its defects. They do not claim that it is ideally perfect. One after another they rest it on a basis of expediency. "What have you to offer that is better?" would be their proposition. We may be most reluctant to concede to their position. And yet we are driven to admit, that on this whole subject the first right to answer belongs to political economy.

Does it leave us, then, without any principle of justification for private property? Must we view our entire social fabric simply as a compromise with necessity? Expediency seems a poor substitute for justice.

Human opinion, however, is drifting in the direction of another stand-point which may still justify this institution. It is the conviction that private ownership as a principle of right exists by the tacit consent of all human society. This may be the clue to the whole problem. If the view is correct it would leave the present social structure with a basis of justification. It would also account for the circumstance that people do cling so tenaciously to the fact of individual ownership of some kind, in face of all the scruples brought to bear against it.

The world does seem to give this tacit consent, although men may not be always conscious of it. The vast majority say and *feel* with reference to one thing or another, "This is mine." But if they have that feeling towards any object, whatever it may be, they have accepted the *principle* of individual ownership. The person who clings with a sense of possession to the smallest coin in his pocket, has voluntarily given adhesion to one of the great institutions of our present civilization. It is because that sense of possession in some form or another prevails so universally in the individual consciousness, that private property may be said to have received the sanction of human civilized society.

Law and philosophy both indirectly seem to make it an elemental supposition, that mankind *as a race* is the ultimate earthly owner of all existing wealth. It is to the organized brotherhood of our fellows everywhere that we owe what we are. We call it sometimes "society," at other times the "state" or the "nation." Whatever agent may be its nearest representative, will necessarily act by its right and authority. We cannot be said to own anything absolutely by "one's own right." If it were not for this "state" or "society" as an organized brotherhood, men could not live for a day. We depend on its labors in order to be able to reap the fruits of our own labors. Without its protection we could not hold our property for an hour. It alone makes private ownership

possible, because it alone secures us in that form of ownership. It therefore creates and grants the right, and so gives the basis of justification.

We hold all that we possess *as a trust*. That is the position which the ablest minds of to-day appear to be taking on this subject of property. We are each and all acting as stewards for human society. What belongs to us is not ours to do with altogether as we please. But it is our private wealth to be used in the service of that mankind by whose aid and assistance it has come to us and by whose sanction we call it "ours." Any person who disposes of it without keeping that fact in mind, is proving himself unworthy of possessing property.

We are doing nothing more nor less in this attitude than reverting to the original religious sanction. It is the same in thought, although different in language. Men have been accustomed to say that they looked upon their possessions as intrusted to them by God. Everything was to be used in the service of that Being. "Why?" Because it was to that Power they owed their existence and the means by which they had acquired their wealth. But that conviction has influence upon us only when interpreted with more definite meaning. It is mankind which has been made here on earth, the agent or representative of the Author of the Universe.

Human society is the direct and immediate source to which we owe the privileges of life, liberty, the pursuit of happiness, and the possession of property. We receive our opportunities, our capacities, the resources of existence, the strength to labor, even our very being, from the whole race of man to which we belong,—the fathers and brothers now living, and the vast infinite multitude who have gone to their rest. Through their efforts, their work, and their sacrifices, we are where we are at our present stage of civilization. What we possess and what we earn is to be held and used in trust for that brotherhood. It is by first acknowledging our stewardship to humanity, that we confess it in a higher sense to the Supreme Being.

Again we must call attention to the fact, that this is not

the view or attitude of any one set of men. I am seeking to trace the common tendencies of modern thought in reference to property. It is a stand-point which exhibits itself in a great variety of ways. It forms the basis of private conduct, of the acts of legislatures, and of the teachings of writers on ethics and economics. Wundt, of Leipsic, one of the greatest minds in Germany, says, for example, "Only that kind of property is morally justified which is used for moral purposes. Whatever idle or wasteful use of property exists, by throwing it away for selfish purposes, without any consideration for the welfare of society, is immoral." We quote likewise the words of one of the leading economists of the world, Roscher, of Berlin, who asserts explicitly, "With every kind of property must go a corresponding duty. There is no kind of property that could exist and be used irrespective of the welfare of human society." What more definite language could we ask for, and from two of the ablest and most conservative men in Europe? We can also recognize the use of the same principle in the legislation of the parliament in London.

The most striking form in which this attitude of mind towards property has begun to display itself, is in reference to the matter of bequest. We can see at this point that it has even acquired a hold on the popular consciousness. Why is it that so many men, when they retire from earth, wish to leave some portion of their possessions to the good of public institutions, to the service of the great brotherhood of mankind, instead of devoting it all to their immediate family? Is it not a tacit recognition on their part of a state of indebtedness towards their fellow-men? Do they not confess by such an act, a sense of stewardship towards humanity? Is it not a faint effort to pay off *something* of that obligation? If they bequeath the greater part of their property to those who are nearest to them, they justify it on the ground that that would be the truest manner in which to execute their trust. But they wish to confess their debt to mankind by at least making some gift to the outside world. The custom is becoming general even among people of quite small means. The man who dies leaving only a few hundred dollars, desires to have

a little of it go to an asylum for the blind, to an educational institution, or to the Church. We can recognize also the same spirit among certain men at the present day, who do not feel quite at liberty to spend *all* the wealth which has fallen to them by inheritance. It is their private property. And yet somehow they are conscious that it has come to them as a kind of trust, which they should hand down in part to future generations. There is an element of moral opprobrium which especially attaches to the extravagant use of inherited wealth. It is thus we see indications of this principle of the stewardship of property, beginning more and more in a variety of ways to dominate public opinion.

Human society appears, therefore, to be moving towards a solution of the problem. It cannot appeal to the reverence for fixed institutions, as a basis for private property. We do not settle the question by asserting that it was established by the laws of nature or the will of God. We cannot say that it has always existed, and therefore will necessarily survive. We may not even support it on the supposition that a man is entitled to the fruits of his own labor. But it does find better justification than mere expediency. We can believe that it is right to own property because it is sanctioned by the original owner of all wealth,—human society itself. It is thus that we begin to bridge the chasm which seemed to exist between conflicting sentiments of justice. We are still left to battle in mind over all those special scruples as to the ownership of particular kinds of property. Ethical science has in this its first proposition only made a beginning in dealing with the great problem. But until this one issue is settled the whole subject will be in a state of confusion.

A man can still justify himself in refusing to "divide" at the arbitrary demand of another. He may answer, "It is not through you alone that I have been able to acquire these possessions. Your labor has not been the only factor. I hold this, not in trust for you individually, but for all human society. When that authority demands it and will use it justly, I stand ready to give it up. What you yourself possess, though it be only one small coin, is held by the same principle of right.

You, too, when the ideal condition of affairs has arrived, may be called upon to cut that coin in two and share it with the brother who is lower in the scale of being, or less happy and fortunate than yourself. But until that time comes, we each remain the executors of our respective trusts." We are speaking, of course, only with reference to the abstract principle which justifies the *idea* of private property, and not as to the question how the wealth may have come into one's possession. In that regard each case would have to be judged by itself. We have been using the term "wealth," also, in the economic sense, whether existing as wages, income, or capital.

It might seem at first thought as if this stand-point to which human opinion was drifting, would offer a very insecure basis for private property. Personally I am inclined to take the other view. The institution is far more liable to survive if this attitude of mind rapidly becomes universal. A revolution would occur on this one issue only as a violent reaction, because men refuse to recognize their stewardship as the owners of wealth. What the iconoclast especially desires is that men may show themselves defiantly selfish and regardless of their responsibilities to society. It gives him the basis of his appeal for an overthrow. He is able to say, "This is what private property leads to." Civilization, however, is naturally conservative. If people do show an honest and conscientious desire to be true to their trust, it will be a long, long time before the revolution takes place. Under such conditions the changes would come gradually. Modifications of the principle might be introduced. But the most radical measures will not be tried, unless there is a clear and hopeless misuse of the trust on the part of the present owner.

Under any circumstances an institution can only continue to live for the reason that it is rooted in the convictions and sentiments of the great majority. It is because the wage-earner says down in his heart "This is mine" of what is paid him on Saturday night, that the capitalist is secure in thinking "This is mine" of the income from his investments. They both accept the *idea* of private ownership. Change that sentiment and there will be a revolution. But sentiments of that

kind are most conservative. It requires a violent shock to overthrow them, if they have been long in existence. And so it is often said that if the present civilization were suddenly demolished, society would tend to revive with many of the same institutions. Up to the present time the sense of ownership appears rooted in human nature itself; and that is why the principle of private property dominates our civilization. But if there is an abuse of their trust on the part of the owners of wealth, that will certainly menace the principle.

We cannot prophesy that an institution of this kind will continue throughout all eternity. The same agent which called it into existence, may ultimately change it or remove it altogether. The power rests where it has always held its seat, in the hearts and wills of the people. As Friedrich Paulsen, one of the leading and most conservative writers on ethics in Europe, aptly remarks, "If it is true that expediency supports us in our private property, if it is true that we hold it by the consent of society as a trust for the race, the same expediency may finally demand that we surrender it, the same society may withdraw its consent and ask that the trust be used otherwise." But a change of that kind never comes suddenly. If it should occur, men would not wake up one morning and discover a revolution. They would only recognize it by comparing one century with another.

It is true, in discussing what justifies private ownership, we have not gone very far into the problem of property. Ethical science, like economics, is often very unsatisfactory when it attempts to deal with the burning questions of the day. It has a great deal to say about abstract principles; but on practical issues it is slow to help us out of our difficulties. We almost wish it would leave the cloud-land of speculation for awhile and come down to our every-day life. The human nature which has been becoming more refined in its scruples may by and by harden again, unless it finds some method for interpreting those scruples. The conscience of to-day is remarkably sensitive about some things and singularly callous about others. It appeals for enlightenment to the science of ethics.

It is to be hoped that ethics will respond to the appeal. The unusual sensitiveness which is manifest in reference to the element of right and wrong in the ownership of property, ought not to be allowed to die away. The best and clearest minds of the present time should give it their closest attention. The principle of the stewardship of wealth must receive a *definite meaning*. We do not recognize it simply by feeling it to be true, but by acting up to it. The main issue is still before us when we ask how to apply the principle. How can men show that they regard what they possess as a trust for human society? Should they hold it, spend it, or give it away? They have to determine what it implies to be an executor of a trust. They themselves are a part of this same organized society. Can they honestly and conscientiously devote a large portion of what is in their lands, to their own uses? Ought they rather distribute it in giving labor to others? Men are groping about for an answer. But it is most encouraging that they care for an answer at all. Even a spasmodic recognition of the principle is of some value.

I have only ventured to suggest the first introductory thought to this great subject. It may seem a dry and barren topic to the idealist. There is something so materialistic about the very idea of property. It appears to contaminate the people who deal with it. Refined natures shrink from the touch of it. And yet by the higher methods used in reference to it we can mark both the ethical and religious progress of mankind. It is of the earth, earthy; but when we say "thine" and "mine" in speaking of it, we make it the temple of ideal forces which are to shape the higher destinies of the world.

We can but hope that writers on ethics will realize more and more the importance of this whole subject. A vast field for the most searching investigation lies before us. The higher life of the race of man hangs in the balance. As yet human society has only just begun to grasp the first principle. Even that, however, is a great deal.

We can still say, "This is mine." But, just as men have been accustomed to look upward and add, "to be used in Thy service because Thou hast given it to me,"—so also, as they

look *outward* over the race of men to which they belong, while thinking "This is mine," they whisper solemnly, addressing now, on the other hand, that vast human brotherhood, "*to be used in thy service because thou hast given it to me.*" From this attitude we can still justify private property.

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THE EFFECTS OF HIS OCCUPATION UPON THE PHYSICIAN.

WHAT influence, if any, is exerted upon the mental faculties and moral qualities of members of the medical profession by the special education which they have received, and the peculiar nature of their work? This is the question to which an answer is requested by the INTERNATIONAL JOURNAL OF ETHICS, and it is one which it is much easier to ask than to reply to. It has, however, been answered, more or less directly, by many physicians, in the form of orations, eulogies, and valedictory addresses; and, from one point of view, there is nothing to be said in addition to what is contained in "The Man as Doctor," by Dr. E. W. Emerson, and in "The Conduct of the Medical Life," by Dr. Weir Mitchell. In this paper, therefore, physicians will find no new ideas. The body of men constituting what the world in general knows as "the medical profession" is by no means a homogeneous one in any respect, physically, mentally, or morally, and it would be difficult, if not impossible, to make any general statement as to the characteristics of this body to which it would not be easy to find exceptions, not merely as to individuals, but as to groups of individuals. The general practitioner or family doctor is subjected to influences, and has interests, which are somewhat different from those which affect the specialist, the investigator and teacher, or the medical official; and while opportunity and circumstance have no doubt much to do in determining to which of these careers a medical man finally devotes himself, yet his own personal characteristics, tastes,